

REMARKS

Claims 1 and 29 are amended, no claims are canceled, and claims 67-71 are added; as a result, claims 1-4, 29 and 67-71 are now pending in this application.

Applicant submits that the newly added claims do not add new material, and find support in the specification as originally filed, at least at paragraphs [0027], [0028], [0037], and [0040].

Applicant respectfully submits that the amendments to independent claims 1 and 29 render all of the independent claims distinct over the previously cited reference of Zhao et al. (U.S. 6,051,286).

Specifically, Zhao does not disclose or suggest the claimed feature of “...*providing an ion promoting atmosphere comprising at least a precursor gas, a reactant gas, and a chemically inert reactive species promoter gas ...*”, as recited in claim 1, as amended herein. The cited reference discloses helium as a bubbler material for entraining the liquid precursor material, titanium tetrachloride, which is held at a temperature of about 60 deg. (See col. 37, lines 13-30). Since Zhao does not disclose or suggest the use of a reactive species promoter third gas in the plasma atmosphere, then Applicant respectfully submits that claim 1, as amended herein, has at least one recited feature not found in the reference. In similar reasoning, since the reference does not disclose the recited feature of “...*maintaining a pressure and a temperature in a combination of gases comprising at least a precursor gas, a reactant gas, and a chemically inert reactive species promoter gas ...*”, as found in independent claim 29, as amended herein, then claim 29 is distinct over the reference. Again, the reference does not disclose the recited feature of “...*a deposition gas mixture having at least two distinct chemical materials acting as a precursor and a reactant ... and a chemically inert reaction promoter mixed with said deposition gas ...*”, as found in independent claim 67, so claim 67 is distinct over the reference.

The dependent claims 2-4 and 68-71 are held to be patentably distinct over the reference at least as depending from base claims shown above to be patentable over the cited reference. In view of the above claim amendments and discussion, Applicant respectfully requests that claims 1-4, 29 and 67-71 be allowed over the cited references.

CONCLUSION

In accordance with 37 CFR 1.173(b), the non-compliant section(s) of Applicant's previously-submitted Amendment and Response has been included in this response.

Applicant respectfully submits that the Examiner withdraw the non-compliant status and examine the response as appropriate.

The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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9 June '06

By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12 day of June, 2006.

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